

12-03-01

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

*(to be used for all correspondence after initial filing)*

		Application Number	09/895,866
		Filing Date	June 29, 2001
		First Named Inventor	Sambasivan
		Group Art Unit	1751
		Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number	5991

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<b>Declaration for Utility or Design Patent Application</b>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<b>Statement by Attorney that Application Being filed in PTO is the One Inventor Executed by Signing Declaration</b>
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Rodney D. DeKruif Reinhart Boerner Van Deuren, s.c.		
Signature			
Date	11/30/01		

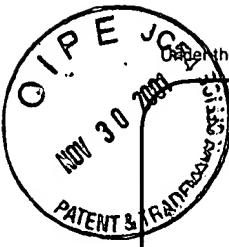
## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. EL835271487US in an envelope addressed to: U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202 on November 30, 2001.

Typed or printed name	Rodney D. DeKruif		
Signature			
	Date	11/30/01	

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$)</b>	<b>643.00</b>	<b>Attorney Docket No.</b>	<b>5991</b>
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<b>METHOD OF PAYMENT (check one)</b>					<b>FEE CALCULATION (continued)</b>																																																																																																																																																																	
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any deficient fees and credit any over payments to: Deposit Account Number <b>18-0882</b> Deposit Account Name <b>Reinhart, Boerner, et al.</b> <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27					3. <b>ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65 Surcharge - late filing fee or oath</td><td>65.00</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25 Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130 Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520 For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920* Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840* Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55 Extension for reply within first month</td><td>55.00</td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200 Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460 Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720 Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980 Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160 Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160 Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140 Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510 Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55 Petition to revive – unavoidable</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640 Petition to revive – unintentional</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640 Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230 Design issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310 Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130 Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>130</td><td>123</td><td>130 Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180 Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40 Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370 Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370 For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370 Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900 Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="5">Other fee (specify)</td></tr> <tr> <td colspan="5">*Reduced by Basic Filing Fee Paid</td> <td><b>SUBTOTAL (3)</b></td> <td><b>(\$120.00)</b></td> </tr> </tbody> </table>					Fee Code	Large Entity Fee (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105	130	205	65 Surcharge - late filing fee or oath	65.00	127	50	227	25 Surcharge - late provisional filing fee or cover sheet.		139	130	139	130 Non-English specification		147	2,520	147	2,520 For filing a request for reexamination		112	920*	112	920* Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840* Requesting publication of SIR after Examiner action		115	110	215	55 Extension for reply within first month	55.00	116	400	216	200 Extension for reply within second month		117	920	217	460 Extension for reply within third month		118	1,440	218	720 Extension for reply within fourth month		128	1,960	228	980 Extension for reply within fifth month		119	320	219	160 Notice of Appeal		120	320	220	160 Filing a brief in support of an appeal		121	280	221	140 Request for oral hearing		138	1,510	138	1,510 Petition to institute a public use proceeding		140	110	240	55 Petition to revive – unavoidable		141	1,280	241	640 Petition to revive – unintentional		142	1,280	242	640 Utility issue fee (or reissue)		143	460	243	230 Design issue fee		144	620	244	310 Plant issue fee		122	130	122	130 Petitions to the Commissioner		123	130	123	130 Petitions related to provisional applications		126	180	126	180 Submission of Information Disclosure Stmt		581	40	581	40 Recording each patent assignment per property (times number of properties)		146	740	246	370 Filing a submission after final rejection (37 CFR § 1.129(a))		149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))		179	740	279	370 Request for Continued Examination (RCE)		169	900	169	900 Request for expedited examination of a design application		Other fee (specify)					*Reduced by Basic Filing Fee Paid					<b>SUBTOTAL (3)</b>	<b>(\$120.00)</b>
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**or number previously paid, if greater; For Reissues, see above																																																																																																																																																																						

<b>SUBMITTED BY</b>						<b>Complete (if applicable)</b>	
<b>Name (Print/Type)</b>	<b>Rodney D. DeKruif</b>		<b>Registration No. Attorney/Agent)</b>	<b>35,853</b>	<b>Telephone</b>	<b>414-298-8360</b>	
<b>Signature</b>					<b>Date</b>	<b>November 30, 2001</b>	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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PATENT  
Attorney Docket No. 5991

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Sambasivan, et al.

Serial No.: 09/895,866

Group No.: 1751

Filed: 06/29/01

Examiner:

For: CONDUCTIVE AND ROBUST NITRIDE BUFFER LAYERS ON BIAXIALLY TEXTURED  
SUBSTRATES

U.S. Patent and Trademark Office

P.O. Box 2327

Arlington, VA 22202

**STATEMENT BY ATTORNEY THAT APPLICATION BEING FILED IN PTO IS THE ONE  
INVENTOR EXECUTED BY SIGNING DECLARATION**

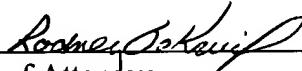
NOTE: This form is to be used when the declaration only indicates the name(s) of the inventor(s) and the title of the invention. Notice of September 12, 1983, 1035 O.G. 3.

I, Rodney D. DeKruif  
Name of Attorney

Reinhart Boerner Van Deuren, s.c.  
1000 North Water Street, Milwaukee, Wisconsin 53202

Reg. No. 35,853 Tel. No. (414) 298-8360

state I am the attorney for this application and the application identified above is the application which the inventor(s) executed by signing the declaration which is being submitted herewith.

  
Signature of Attorney

**\*\*FOR DIVISIONAL APPLICATIONS\*\***

\*\*The application is being filed pursuant to Section 1.60. A true copy is enclosed of the prior complete application as filed in the parent application \_\_\_\_\_ including the specification (with claims), drawings, oath or declaration showing the signature or an indication it was signed, and any amendments referred to in the oath or declaration filed to complete the prior application. No amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.

**Certificate of Mailing/Transmission (37 CFR 1.10)**

I hereby certify that this correspondence is, on the date shown below, being:

Mailing  
[X] deposited with the United States Postal Service  
with sufficient postage as Express Mail No.  
EL835271487US in an envelope addressed to the  
U.S. Patent and Trademark Office, P.O. Box 2327,  
Arlington, VA 22202.

Facsimile  
[ ] transmitted by facsimile to the Patent  
and Trademark Office

Date: November 30, 2001

  
Signature

Rodney D. DeKruif  
(type or print name of person certifying)

*NOTE: The PTO accepts the filing of a continuing application as a response under 37 CFR 1.136 and 1.137. To facilitate processing in such a case, the petition for extension of time should specifically refer to the filing of a continuing application and also include an express abandonment of the prior application conditioned upon the granting of the petition and the granting of a filing date to the continuing application. Notice of May 13, 1983, 1031 O.G. 11-12.*

The response is the filing of a continuation application having an express abandonment conditioned on the granting of a filing date to the continuing application.

3. Applicant is

a small entity. A verified statement:

is attached.  
 was already filed.  
 other than a small entity.

4. Calculation of extension fee (37 CFR 1.17(a)-(d)):

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 380.00	\$190.00
<input type="checkbox"/> three months	\$ 920.00	\$460.00
<input type="checkbox"/> four months	\$1,360.00	\$680.00
		<b>Fee    \$ <u>55.00</u></b>

If an additional extension of time is required, please consider this a petition therefor.

*(check and complete the next item, if applicable)*

An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$55.00

5. Extended period for response

Based on the extension requested in this petition (and that for which a previous petition has been filed, if any), the extended period for response will expire on November 30, 2001.

Date

6. Fee Payment

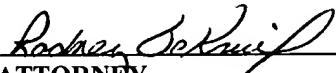
*NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986; 1065 O.G. 31-33.*

Attached is a check including the sum of \$ 55.00 for the extension.

Charge Account 18-0882 for any fee deficiency or additional extension and/or fee required or credit for any excess fee paid.

Charge fee to Account No. \_\_\_\_\_ This is a request to charge for any additional extension and/or fee required or credit for any excess fee paid.

A duplicate copy of this petition is attached.



**SIGNATURE OF ATTORNEY**

Reg. No.: 35,853

Rodney D. DeKruif

*(type or print name of attorney)*

Tel. No.: (414)298-8360

Attn: Linda Gabriel, Docket Clerk

1000 North Water Street

P.O. Address

Milwaukee, WI 53202



# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/895,866	06/29/2001	Sankar Sambasivan	5991

22922  
 REINHART BOERNER VAN DEUREN NORRIS & RIE  
 SELBACH, S.C.  
 ATTN: LINDA GABRIEL, DOCKET COORDINATOR  
 1000 NORTH WATER STREET SUITE 2100  
 MILWAUKEE, WI 53202-3186

**CONFIRMATION NO. 5367**  
**FORMALITIES LETTER**



\*OC000000006496168\*

Date Mailed: 08/30/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

### FILED UNDER 37 CFR 1.53(b)

#### *Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$153.
  - \$153 for 17 total claims over 20.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 573.**

*A copy of this notice **MUST** be returned with the reply.*

12/04/2001 SDENB001 00000097 09895066

01 FC:201	370.00	EP
02 FC:203	153.00	OP
03 FC:205	65.00	OP

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE